

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DANTE H. PATTISON,

Plaintiff,

v.

BRIAN SANDOVAL, *et al.*,

Defendants.

Case No. 3:20-cv-00287-MMD-CSD

AMENDED ORDER

The Court issued an order today (ECF No. 138 (“Order”)) that overruled *pro se* Plaintiff Dante Pattison’s objection (ECF No. 88). In addressing Pattison’s objection that he is permitted to keep his medical records in his cell, the Court relied on copies of the Nevada Department of Corrections’ (“NDOC”) Administrative Regulation (“AR”) 639 that became effective on March 1, 2018 (see ECF No. 88 at 42). However, it has come to the Court’s attention that this 2018 version of AR 639 in the record is superseded by a more recent version that became effective on July 27, 2021.¹

In the Order, the Court relied on AR 639.02(8), as stated in the 2018 version, to sustain Pattison’s objection that the Court did in fact previously allow Pattison to possess relevant medical/dental records in his cell. (ECF No. 138 at 4.) However, the 2021 version of AR 639.02(8) now provides that “[c]opies of an offender’s health record will not be released directly to the offender while incarcerated and should be maintained in a separate file in the offender’s medical records for attachment to pleadings when directed by the Attorney General’s staff.” As such, Judge Denney’s footnote in his February 2, 2022 order that Pattison “is not permitted to keep his medical/dental records in his cell;

¹The Court takes judicial notice of the most recent version of AR 369 that became effective on July 27, 2021, which is available on the NDOC’s website at: https://doc.nv.gov/About/Administrative_Regulations/Administrative_Regulations__600_Series/ (last visited May 10, 2022).

1 however, he may kite to review those documents” is indeed proper and correct pursuant
2 to AR 639. (ECF No. 85 at 5, n.2.)

3 It is therefore ordered that Plaintiff Dante Pattison’s objection (ECF No. 88 at 10-
4 11) that he is allowed to possess his medical records in his cell is overruled.

5 It is further ordered that the Court’s Order (ECF No. 138) is amended to reflect that
6 Pattison’s objection that he is allowed to possess his medical records in his cell is not
7 sustained but rather overruled for the reasons stated here.

8 DATED THIS 10th Day of May 2022.

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13 MIRANDA M. DU
14 CHIEF UNITED STATES DISTRICT JUDGE
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